

PHILLIP MARK BAILEY #1619414	§	
VS	§	CIVIL ACTION NO. 6:11CV680
DIRECTOR, TDCJ-CID	§	

The above-entitled and numbered petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Petitioner has filed objections.

1

ORDERED that the Petitioner's petition for habeas corpus pursuant to 28 U.S.C. § 2254 is **DENIED** and the case is **DISMISSED** without prejudice. A certificate of appealability is **DENIED**. All motions by either party not previously ruled on, including specifically Petitioner's motion to appoint counsel and for an evidentiary hearing (docket entry #8), are hereby **DENIED**.

So ORDERED and SIGNED this 18th day of January, 2012.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE